



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV**

**APPLICATION FOR CERTIFICATION
FOR THE CARLSBAD ENERGY
CENTER PROJECT**

Docket No. 07-AFC-06

**COMMITTEE ORDER DENYING CITY OF CARLSBAD REQUEST TO
REOPEN PROCEEDINGS AND CONSIDER NEW INFORMATION FROM
THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR**

The Carlsbad AFC Committee issues the following ruling on the Letter Request by City of Carlsbad and the City of Carlsbad as successor agency to the former Carlsbad Redevelopment Agency to Reopen Proceedings and Consider New Information from the California Independent System Operator [CAISO] dated March 28, 2012. This ruling follows responses filed by the parties in this matter and a discussion during the Committee's April 19, 2012 committee conference on the Revised Presiding Member's Proposed Decision.

The request relates to testimony provided by CAISO for our December 12, 2011 evidentiary hearing. During a California Public Utilities Commission (CPUC), workshop on March 19, 2012, a CPUC Administrative Law Judge informed those present that "the ISO has become aware of a change to the categorization of Sunrise Powerlink & IV-Miguel transmission line that the ISO expects will have a significant impact on the conclusions that it presented in its March 9 prepared testimony."

The Administrative Law Judge's statement refers to an impact on testimony given in the CPUC proceeding. From that statement, the City argues that changes will be required in the CAISO's testimony in this Energy Commission proceeding. The CAISO provided both written and oral comment that its December testimony and conclusions have not changed and that it does not want to revoke or amend that testimony. (April 16, 2012 letter from Andrew Ulmer, CAISO, to Commissioner Karen Douglas; 4/19/12 RT, p. 9.) While CAISO representative Robert Sparks indicated that the results in one of four scenarios of a study that formed part of the basis for the testimony did change, that did not change CAISO's conclusions. (4/19/12 RT, pp. 18 – 19.)

We do not find a compelling reason to reopen the proceedings to engage in speculative inquiries about evidence which has been reaffirmed by its proponent. Accordingly, the request is **DENIED**.

Dated May 17, 2012, at Sacramento, California.

Original Signed By:

KAREN DOUGLAS
Commissioner
Carlsbad AFC Committee



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**Docket No. 07-AFC-06
PROOF OF SERVICE
(Revised 3/27/2012)**

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DECLARATION OF SERVICE

I, Maggie Read, declare that on May 18, 2012, I served and filed a copy of the attached COMMITTEE ORDER DENYING CITY OF CARLSBAD REQUEST TO REOPEN PROCEEDINGS AND CONSIDER NEW INFORMATION FROM THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR, dated May 17, 2012. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at: [\[www.energy.ca.gov/sitingcases/carlsbad/index.html\]](http://www.energy.ca.gov/sitingcases/carlsbad/index.html).

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

(Check all that Apply)

For service to all other parties:

- ☒ Served electronically to all e-mail addresses on the Proof of Service list;
- ☒ Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses marked "hard copy required."

AND

For filing with the Docket Unit at the Energy Commission:

- ☒ by sending one electronic copy, to the address below (preferred method); **OR**
- ☐ by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

CALIFORNIA ENERGY COMMISSION – DOCKET UNIT

Attn: Docket No. 07-AFC-6
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.ca.gov

OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:

- ☐ Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission
Michael J. Levy, Chief Counsel
1516 Ninth Street MS-14
Sacramento, CA 95814
michael.levy@energy.ca.gov

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

Original Signed By:

Maggie Read
Hearing Adviser's Office